

REMARKS

Applicants appreciate the indication that process claim 27 is allowed, and that material system claims 14, 22 and 26 are merely objected to and would be allowable if in independent form.

Claims 14, 22 and 26 are now presented in independent form. Accordingly, claims 14, 22, 26 and 27 are allowed.

Applicants respectfully submit that claim 13 has been amended to clearly distinguish over the prior art by reciting the presence of powder, as supported by the specification, paragraph 3 (explaining the field of the invention) and paragraphs 20, 25 and 26. The "powder" is comprised of individual "particles", as defined in paragraphs 8, 17, 19, 20, 22, 25, 29 and 30, as well as original claims 7 and 8.

The remaining claims are allowable by virtue of their dependency from allowable claim 13.

Accordingly, review and reconsideration of the Office Action of December 16, 2003, is respectfully requested in view of the above amendments and the following remarks.

Office Action

The paragraphing of the Examiner is adopted.

Claim Rejection 35 U.S.C. §102 (anticipation)

Claims 13, 15-19 and 24-25 are rejected under 35 U.S.C. §102(b) as being anticipated by Nigam, et al.

According to the Examiner, Nigam et al. disclose water based **ink** compositions comprising polymeric acids combined with polymeric bases, which bases may be PVP.

Applicants respectfully traverse. The liquid formulation of Nigam et al is intended for two-dimensional printing.

The present invention, in contrast, is concerned with a material system for use in 3D-printing, wherein the produced shape (3-D printing product) has higher form-stability (as a result of acid-base reaction of polyelectrolytes, and/or polymerization of binder triggered by initiator).

Claim 13 has been amended to positively recite presence of a powder, in addition to binder and solvent. The subject matter of claim 13 is neither anticipated by, nor obvious over, the two-dimensional printing ink of Nigam, et al.

Withdrawal of the rejection is respectfully requested.

Claim Rejection 35 U.S.C. §103 (obviousness)

Claims 20-21 and 23 are rejected under 35 U.S.C. §103(a) as being obvious over Nigam, et al.

In response, Applicants point out that these claims are patentable by virtue of their dependency from allowable claim 13.

Allowable Subject Matter

The Examiner indicates that claims 14, 22 and 26 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including

U.S. Application No. 09/870,286
AMENDMENT A

Attorney Docket: 3926.029

all of the limitations of the base claim and any intervening claims, and that claim 27 is allowed.

In response, claims 14, 22 and 26 are now presented in independent form. Accordingly, claims 14, 22, 26 and 27 are allowed.

Finally, Applicants are aware of their continuing duty of disclosure. In an EP Search Report Applicants became aware that WO 01/34371 (WO) was cited as technically relevant, but too late to be relevant under EP law. Applicants further note that the WO claims priority from US application 60/164,000 filed November 5, 1999; however, the WO is not directed to the "same invention" as the US priority document. More specifically, there is no mention of complementary polyelectrolytes in the US priority document.

Applicants thus investigated the relevancy of this reference under US laws. The WO was filed November 3, 2000 and published May 17, 2001. Since the WO was filed prior to November 29, 2000 the post AIPA rules regarding 35 USC §102(e) do not apply.

Applicants further note that a certified copy of the priority document upon which the present application was based, German Application No. 100 26 955.9 filed May 30, 2000, was filed with the USPTO November 20, 2001, and that a verified translation of the priority document was filed with the USPTO May 30, 2001, thereby perfecting the claim to the priority date of May 30, 2000. This predates the WO publication date of May

U.S. Application No. 09/870,286
AMENDMENT A

Attorney Docket: 3926.029

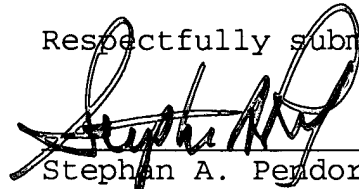
17, 2001.

Finally, Applicants obtained a patent family status of the above WO, and note that there is no issued US patent in this family.

Accordingly, Applicants are not aware of any document relevant to the present application.

Early issuance of the Notice of Allowance is respectfully requested.

Respectfully submitted,



Stephan A. Pendorf
Registration No. 32,665

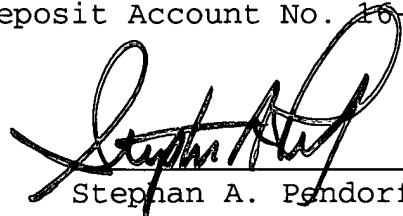
PENDORF & CUTLIFF
P.O. Box 20445
Tampa, Florida 33622-0445
(813) 886-6085

Date: **March 16, 2004**

CERTIFICATION OF MAILING AND AUTHORIZATION TO CHARGE

I hereby certify that a copy of the foregoing AMENDMENT A for U.S. Application No.: 09/870,286 filed May 30, 2001, was deposited in first class U.S. mail, postage prepaid, addressed: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on **March 16, 2004**.

The Commissioner is hereby authorized to charge any additional fees, which may be required at any time during the prosecution of this application without specific authorization, or credit any overpayment, to Deposit Account No. 16-0877.



Stephan A. Pendorf